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largely by the New York court to sustain its view that the taxicab was a private carrier, is readily distinguishable from the instant case. The United States Supreme Court held that taxicabs, operating from a public stand, are common carriers, but that cars ordered from a central garage, usually by telephone, are not common carriers.

CARRIERS—PASSENGERS—WRONGFUL EJECTION.—The plaintiff bought a ticket from Harrisonburg, Va., to Selma, N. C., which the conductor on the train from Staunton to Charlottesville claimed was invalid. At Charlottesville he had the ticket agent change the ticket, but the agent by mistake wrote Thelma on the ticket instead of Selma. On boarding the Atlantic Coast Line train at Richmond, the plaintiff was told by the conductor that the ticket was not good. The plaintiff explained how the mistake occurred and offered to pay for a telegram to Harrisonburg to ascertain whether or not he had paid the proper fare. The conductor ejected him from the train, neither paying attention to the explanation, nor to the offer to pay for the telegram. The plaintiff sued to recover damages for the ejection. *Held*, the plaintiff is entitled to recover. *Creech v. Atlantic Coast Line R. Co.* (N. C.), 93 S. E. 453. See Notes, p. 134.

CONSTITUTIONAL LAW—SELECTIVE DRAFT—POWER OF CONGRESS.—The defendants were imprisoned for unlawfully failing to register for military duty as required by the Act of Congress of May 18th, 1917, popularly known as The Selective Draft Law. The defendants applied for writs of *habeas corpus*, claiming that this Act of Congress is in contravention of the Thirteenth Amendment of the Federal Constitution, prohibiting slavery and involuntary servitude, and further that Congress has no power to pass such a law. *Held*, the application is denied. *Story v. Perkins*, 243 Fed. 997. See Notes, p. 138.

EVIDENCE—CRIMINAL LAW—INFERENCE OF GUILT FROM FLIGHT.—The defendant was convicted of murdering an automobile driver. The morning after the murder, the defendant drove to another town for the alleged purpose of obtaining work there. The judge charged the jury, in substance, that flight must be proved by the state, and if proved, any reasonable explanation of the flight by the defendant must be considered; if the explanation were reasonable and true, the inference of guilt to be drawn from the flight is done away with; if the explanation were unreasonable or untrue, then flight was to be considered as a circumstance against the defendant. *Held*, the instruction is erroneous. *State v. Turnage* (S. C.), 93 S. E. 182.

Flight is a voluntary withdrawal to escape arrest, and is a circumstance from which an inference of guilt is drawn. Merely leaving the community for another purpose does not create such inference. Whether or not the circumstances constitute flight is a question for the jury. *Smith v. State*, 106 Ga. 673, 32 S. E. 851; *State v. Poe*, 123 Iowa 118, 98 N. W. 587.

The fact that a defendant flees from the vicinity where a crime was committed, knowing that it is probable that he will be arrested there-